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Report of the Working Group on the Universal Periodic Review*

Panama

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-second session from 4 to 15 May 2015. The review of Panama was held at the 5th meeting, on 6 May 2015. The delegation of Panama was headed by the Minister of Labour and Labour Market Development, Luis Ernesto Carles. At its 10th meeting, held on 8 May 2015, the Working Group adopted the report on Panama.

2. On 13 January 2015, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Panama: Germany, Ghana and the Russian Federation.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Panama:

(a) A national report (A/HRC/WG.6/22/PAN/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) (A/HRC/WG.6/22/PAN/2);

(c) A summary prepared by OHCHR (A/HRC/WG.6/22/PAN/3).

4. A list of questions prepared in advance by Belgium, Germany, Liechtenstein, Mexico, Spain, Slovenia, Sweden and the United Kingdom of Great Britain and Northern Ireland was transmitted to Panama through the troika. These questions are available on the extranet of the Working Group.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The delegation began its presentation indicating that the universal periodic review had been an opportunity to assess the human rights progress in Panama and listen to the recommendations of the international community.

6. In less than one year in office, the Government had taken steps towards the full implementation of the human rights obligations of Panama in the areas of freedom of expression, relations with unions and indigenous peoples, the procedure for determining refugee status and matters related to transparency and accountability.

7. The Government had focused its efforts on institution-building through a strategy that included the ratification of human rights instruments, the harmonization of national legislation with international obligations, the establishment and renewal of institutions and the implementation of public policies aimed at achieving that goal.

8. One of the commitments undertaken by Panama during its first review was to transform the inter-institutional commission set up to prepare its national report into a standing body. In July 2012, by executive decree, the national standing commission for monitoring and ensuring compliance with the human rights commitments of Panama at the national and international level was established. The commission held consultations with key civil society organizations working on human rights for the drafting of the national report for the second review.

9. Also, a subcommission was created to set up the national mechanism for the prevention of torture, also with civil society participation. The subcommission agreed that the national mechanism would be a new independent institution created by law.

10. The delegation added that, in compliance with universal periodic review commitments, Panama had ratified the convention on statelessness, the International Convention for the Protection of All Persons from Enforced Disappearance, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Domestic Workers Convention, 2011 (No. 189) of the International Labour Organization (ILO). Likewise, Panama had accepted the competence of the Committee on the Elimination of Racial Discrimination to receive individual petitions. The debate regarding the ratification of ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169) was ongoing within a recently established working group comprising representatives of the Government and of indigenous peoples.

11. Moreover, under the standing invitation to special procedures mandate holders, Panama had received visits from the Rapporteur on the rights of indigenous peoples and the Working Group of Experts on People of African Descent.

12. The delegation acknowledged that some reports before the United Nations treaty bodies remained pending. The aforementioned standing human rights commission would draft a workplan to address this issue in the near future.

13. The delegation considered that the fight against discrimination should begin by acknowledging its existence. The Government had recognized the persistence of cultural and social attitudes that tended to discriminate against certain groups. In this context, to address the absence of statistical data relating to persons of African descent and the indigenous population, the 2010 census included the option for respondents to self-identify as Afro-descendant or indigenous. Additionally, the Government had adopted extensive legislation on affirmative action to protect the lands, culture and institutions of indigenous peoples. Also, electoral districts had been designed to facilitate the election of indigenous representatives to the National Assembly. The delegation acknowledged, however, that the enactment of comprehensive legislation prohibiting discrimination on any ground, including race and ethnicity, was still pending.

14. Regarding the rights of indigenous peoples, the delegation recalled the restoration of the repealed articles of the General Environmental Law granting indigenous people rights over natural resources on the lands they inhabit, the adoption of legislation on the protection of traditional medicines and the right to consultation, and the recent legislative restoration of the free and informed consent of indigenous peoples in relation to measures affecting them. The delegation recognized, however, that the indigenous population continued to have the highest rates of poverty and extreme poverty. Therefore, the Government was preparing a comprehensive development plan with the participation of indigenous peoples.

15. The delegation indicated that the Government had requested the United Nations High Commissioner for Human Rights to provide technical assistance aimed at training the police in the proper use of force and incorporating in the curriculum of the police institute a human rights approach.

16. The delegation acknowledged that serious human rights violations were committed during the events of 6–10 July 2010 in Changuinola. Law 144/2015, which was adopted with the consent of the concerned persons, established a series of measures for providing redress to the victims. Furthermore, during the public enactment of the Law, the President of Panama, Juan Carlos Varela, apologized on behalf of the State to the victims and people affected by the events.

17. On violence against women, Panama adopted in 2013 a law that criminalized femicide. The State has also taken steps for the implementation of this law, including the appointment of a special prosecutor and the creation and regulation of the National Committee on Violence against Women. The delegation noted, however, that the regulation implementing the law, still pending, would need to be drafted in the near future.

18. On the issue of trafficking, measures had been taken to ensure the adequate care of victims in the context of judicial proceedings. Also, the number of specialized trainings had increased for staff in the police, the prosecutors' offices, the judiciary, the migration office and the health and education ministries. The delegation committed itself to the prompt adoption of the regulation implementing Law 79/2011, to the provision of a budget to the National Commission against Trafficking in Persons and to the building of a shelter for victims of human trafficking, in accordance with international standards.

19. Also, as part of a comprehensive public safety policy, the Government was implementing a safe neighbourhoods programme aimed at addressing criminal activity involving gangs through processes and spaces of social integration for young people who belonged to or remained close to them.

20. Regarding refugees, the National Assembly passed Law 74/2013 permitting refugees to apply for residence after three years of living on Panamanian soil. The Government has also improved the process for determining refugee status so that it is in accordance with international standards. In addition, the delegation committed itself to the prompt adoption of a decree regulating the mechanism to determine statelessness.

21. On immigration, the Government had continued its policy of openness by regularizing the situation of 57,652 foreigners between 2010 and 2014. The delegation recognized that currently the conditions in migration shelters were not adequate. Consequently, the Government was committed to building a new women's shelter with the infrastructure necessary to ensure appropriate treatment. Similarly, the conditions in the men's shelter were being improved.

22. The delegation acknowledged the need for measures to ensure the independence and impartiality of judges. The National Assembly was debating a bill to establish a judicial career and, with the support of civil society, the executive branch had submitted to Congress a bill on community justice.

23. With regard to the rights of children, the delegation reported that the Government had recently adopted legislation to raise to 18 years the legal minimum age for marriage and had set up an inter-institutional commission to prepare a draft law on the protection of the rights of children and adolescents.

24. The delegation added that a ministry for the environment had recently been established to face the challenge of guaranteeing the right to a healthy environment.

25. The delegation reiterated the commitment of Panama to continue to promote compliance with its human rights obligations and take positive measures to ensure the conditions necessary for the full enjoyment of the human rights of every person living in the country.

B. Interactive dialogue and responses by the State under review

26. During the interactive dialogue, 49 delegations made statements. Recommendations made during the dialogue can be found in section II of the present report.

27. Ecuador acknowledged efforts made since the first universal periodic review, particularly the ratification of the Optional Protocol to the Convention against Torture, the

Convention relating to the Status of Stateless Persons and the International Convention for the Protection of All Persons from Enforced Disappearance. It highlighted the adoption of laws on benefits for persons with disabilities and the "El Solca" software, which permits such persons to be independent in the areas of education, work and social life. Ecuador made recommendations.

28. El Salvador recognized the commitment of Panama to the universal periodic review and the breadth of civil society participation in the preparation process. It welcomed the importance given by Panama to the implementation of public policies on the administration of justice, citizen security, trafficking in persons and equal opportunities for women, among others. It underscored the main advances made on issues such as persons deprived of liberty, children, indigenous peoples, refugees, migrants, persons with disabilities and Afro-descendants.

29. The Bolivarian Republic of Venezuela valued the efforts of Panama to implement previously accepted recommendations. It highlighted the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance and the Convention against Torture, as well as the decrease in the unemployment rate and extreme poverty, and measures adopted to ensure adequate housing for poor families. It made a recommendation.

30. France welcomed the implementation of many of the recommendations Panama received during the first review. It noted the establishment of a commission responsible for monitoring the implementation of review-related recommendations, and the creation of the Ombudsman's Office and the National Secretariat of Childhood, Adolescence and Family. France made recommendations.

31. Georgia welcomed the ratification of the Optional Protocol to the Convention against Torture and the Convention relating to the Status of Stateless Persons, commended Panama for extending a standing invitation to the special procedures mandate holders and welcomed the establishment of the national standing commission to ensure compliance with and follow-up to human rights obligations. It also commended Panama for its efforts regarding domestic violence. Georgia made a recommendation.

32. Germany noted with appreciation the positive developments, in particular in the fields of the rule of law, the fight against corruption, media freedom, privacy and torture prevention. Germany remained concerned about persistent human rights violations in other areas and encouraged Panama to make further efforts, particularly with regard to the situation in detention facilities, domestic violence and the rights of marginalized groups. Germany made recommendations.

33. Ghana commended Panama for the creation of the Anti-Discrimination Unit, which deals with cases of racial discrimination against indigenous and Afro-descendant populations, and considered the provision of legal assistance by the office of free legal aid to crime victims, particularly women, a step in the right direction. It noted various innovative steps to render effective judicial services to handle expeditiously a backlog of cases. Ghana made recommendations.

34. Guatemala welcomed the creation of the national standing Commission to ensure compliance and follow-up on national and international human rights commitments. It highlighted advances on gender equality, such as the adoption of laws to criminalize femicide and laws on trafficking in persons and female sterilization, and the adoption of a public policy on equal opportunities for women. Guatemala made a recommendation.

35. Honduras welcomed legislative changes and measures taken to strengthen the justice system, the inclusion of persons from vulnerable groups and the reduction of poverty and inequality. It praised the transparency showed by Panama in recognizing the existence of

racial discrimination in the country, as well as the vulnerable condition of persons with disabilities and the actions taken to deal with those situations. Honduras made recommendations.

36. Indonesia welcomed the fact that the report of Panama was the result of an inclusive dialogue involving a wide range of ministries, agencies, parliamentarians, academics, human rights experts and civil society organizations. It appreciated the establishment of the Ombudsman's Office and the national standing commission on human rights and commended efforts to improve the migration policy and combat trafficking in persons. Indonesia made recommendations.

37. Ireland welcomed the ratification of several international human rights instruments, the introduction of legislation on indigenous peoples and steps to improve the functioning of the judiciary. Ireland was concerned about reports of pervasive discrimination against indigenous, ethnic and sexual minorities resulting in denial of their rights to political participation and access to employment and basic services. It noted with great concern reports of restrictions on freedom of assembly and association, in particular with regard to trade unions. Ireland made recommendations.

38. Italy noted with appreciation the measures mentioned in the national report aimed at addressing discrimination against lesbian, gay, bisexual, transgender and intersex people and encouraged the Panamanian authorities to keep tackling this issue. It welcomed the development of human rights education programmes in schools as a cross-cutting issue. Italy made recommendations.

39. Mexico underscored the open invitation to special procedures mandate holders and noted with satisfaction that a process of inter-institutional consultations with the participation of civil society had started for the preparation of the report. It acknowledged advances made since the previous review, particularly the creation of the national standing commission to follow up on international human rights commitments. Mexico made recommendations.

40. Montenegro welcomed the establishment of the national standing commission on human rights and asked Panama to elaborate on progress achieved in fulfilling its international commitments since the establishment of the new body. It noted the progress made towards achieving gender equality and asked Panama to elaborate on results achieved in the implementation of measures aimed at eliminating all forms of violence against women. Montenegro made recommendations.

41. Namibia welcomed the efforts of Panama in respect of the Ombudsman's Office, the prison training academy, the national coalition for development, the national human rights commission, the State policy on equal opportunities for women and the implementation of the action plan for 2015–2019. It made recommendations.

42. The Netherlands welcomed the effort of the Government, the private sector and the National Council of Private Enterprise to reduce child labour. It noted the ratification of the Optional Protocol to the Convention against Torture and welcomed the draft bill to better define the principle of equality in the Constitution. It noted with concern the prison system and anti-discrimination legislation. The Netherlands made recommendations.

43. Nicaragua highlighted advances within the judicial system through the adoption of the law on judicial careers and the human rights training programmes for the national police. It underscored advances regarding gender, such as the criminalization of femicide and trafficking of persons and the adoption of a public policy on equal opportunities for women. Nicaragua made recommendations.

44. Paraguay appreciated the achievement of universal enrolment in primary education and legislation enacted in 2010 establishing the right of indigenous peoples to bilingual and

intercultural education. It welcomed the work of the national standing commission on human rights. It also welcomed the ratification of the Optional Protocol to the Convention against Torture and encouraged Panama to continue its efforts to strengthen the national prevention mechanism against torture. Paraguay made recommendations.

45. Peru highlighted advances such as the establishment of the national standing commission on human rights, the creation of a vice-ministry for indigenous affairs, the ratification of the Optional Protocol to the Convention against Torture and the International Convention for the Protection of all Persons from Enforced Disappearance and the open invitation made to all special procedures mandate holders of the Human Rights Council. Peru made recommendations.

46. The Philippines welcomed the establishment of the national human rights institution, the recognition of the existence of racial discrimination against Afro-descendants, the increased labour participation of women, the improvements in legislation relating to human trafficking and the ratification of several core international human conventions. The Philippines made recommendations.

47. Portugal welcomed steps taken to protect human rights since the first review, such as the ratification of the Optional Protocol to the Convention against Torture and the International Convention for the Protection of All Persons from Enforced Disappearance and the accession to the two conventions on statelessness. It was concerned, however, about the high levels of violence against women and children. Portugal made recommendations.

48. Romania congratulated Panama for progress made concerning fulfilment of the Millennium Development Goals, in particular on extreme poverty, and for the establishment of a national human rights institution. It made recommendations.

49. Rwanda welcomed the establishment of a national standing commission to ensure compliance with and follow-up on human rights obligations, its policy on equal opportunities for women and the reduction of poverty. Rwanda made recommendations.

50. Sierra Leone welcomed the conditional cash transfer and welfare programmes. It noted with concern the disparities between indigenous and non-indigenous communities regarding political participation. It urged Panama to enforce indigenous rights regarding political participation, establish a national policy that protects and promotes the rights of children and improve access to health care and education in rural areas and within indigenous communities. Sierra Leone made recommendations.

51. The Panamanian delegation indicated that its Government would soon approve the amendments to the Rome Statute of the International Criminal Court on the crime of aggression and on article 8. Moreover, the Government was preparing the necessary declarations to accept the competence of the Committee against Torture and the Human Rights Committee to receive individual communications regarding Panama.

52. The delegation outlined a series of social programmes that had been developed by the Government to fulfil its commitment on social inclusion for all citizens. The Government was persuaded that the incorporation of a human rights approach in the strategies on poverty reduction and development in general would strengthen them.

53. Panama has committed itself to generating statistics on the situation of persons with disabilities, to guide the drafting of public policies. The delegation also detailed a number of additional measures to ensure respect for the rights of persons with disabilities.

54. Singapore welcomed the laws criminalizing femicide, implementing the State policy on equal opportunities for women, halving the population living on $1 a day and increasing health standards. It noted with concern the wage gap between men and women. Singapore made recommendations.

55. Slovenia welcomed the criminalization of femicide and the commitment to preventing torture. It noted with concern the lack of efforts to eliminate the practice of making women take pregnancy tests to gain employment. It encouraged Panama to establish an effective national preventive mechanism that complies with the Optional Protocol to the Convention against Torture and to take measures to abolish the practice of employment-related pregnancy tests. Slovenia made recommendations.

56. Spain congratulated Panama for ratifying the Optional Protocol to the Convention against Torture, the Convention relating to the Status of Stateless Persons and the International Convention for the Protection of All Persons from Enforced Disappearance and for extending a standing invitation to the special procedures mandate holders of the universal and regional systems. Spain expressed concern for the unsafe and unsanitary living conditions of persons deprived of liberty. Spain made recommendations.

57. Sweden noted that the Family Code and the Civil Code provided for the "right to correct" children by using corporal punishment. It stated that child labour was common in Panama, mostly in the agricultural and informal sectors, and that indigenous children were overrepresented. Many children ended school early to contribute to the family income. Sweden made recommendations.

58. Thailand welcomed the ratification of the Optional Protocol to the Convention against Torture, the International Convention for the Protection of All Persons from Enforced Disappearance and the establishment of both the Ombudsman's Office and the national human rights commission. It congratulated the Government on criminalizing femicide, the laws on trafficking in persons, female sterilization and the State policy on equal opportunities for women. It made recommendations.

59. Timor-Leste commended efforts to promote women's rights by amending the Criminal Code to criminalize femicide and punish violence against women. It noted, however, that the numbers of such crimes remained high. Timor-Leste also commended the special unit within the national police to investigate sexual offences. It made recommendations.

60. Trinidad and Tobago commended several programmes aimed at promoting and protecting human rights by building public awareness on the matter. It also commended efforts to protect women, children and adolescents. Trinidad and Tobago noted existing discrimination against indigenous and Afro-descendant peoples, and acknowledged the establishment of the Anti-Discrimination Unit. It made a recommendation.

61. Ukraine noted the establishment in 2012 of the standing committee to ensure compliance with and follow-up to the national and international human rights commitments of Panama and encouraged the Government to take measures to further strengthen that mechanism. Ukraine made recommendations.

62. The United Kingdom recognized the progress made in preventing ill-treatment, the criminal justice system and pretrial detention. With respect to the ratification of the Optional Protocol to the Convention against Torture, it urged Panama to establish a national preventive mechanism. Concerns remained over the compliance with legislation on indigenous peoples' rights and about prison overcrowding. The United Kingdom encouraged applying the adversarial criminal justice system and including in the Constitution language on sexual and gender-based discrimination. It made recommendations.

63. The United States of America welcomed the commitment to ratify human rights agreements and promote equal opportunities for women. Despite the justice system reforms, it noted the length of pretrial detention and prison overcrowding. It commended steps to combat forced labour and trafficking for sex, and encouraged identifying and

protecting victims. It noted the limited rights of asylum seekers, urging Panama to provide them with rapid access to education and basic services. It made recommendations.

64. Uruguay highlighted the ratification of the Optional Protocol to the Convention against Torture and the International Convention for the Protection of All Persons from Enforced Disappearance, and urged to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. It welcomed the standing invitation issued by Panama to the universal and regional special procedures mandate holders, as a sign of its commitment to human rights. It commended the establishment of the national standing commission on human rights. It made recommendations.

65. Algeria welcomed the harmonization of the national legal framework with human rights commitments. It mentioned, in particular, the adoption of a law on human trafficking and legislation protecting and strengthening the status of women. Algeria made recommendations.

66. Angola welcomed the implementation of measures to protect refugees and victims of sexual exploitation, particularly women and children. It acknowledged the progress made to combat poverty, trafficking in persons and unemployment and to protect juveniles' rights. Angola was concerned by the inhuman detention conditions and by the integration of minorities, namely Afro-descendants. It made recommendations.

67. Argentina welcomed the ratification of the Optional Protocol to the Convention against Torture, the International Convention for the Protection of All Persons from Enforced Disappearance and the Convention relating to the Status of Stateless Persons. It urged Panama to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. Argentina congratulated Panama for the provision of economic assistance for the events occurred in Bocas del Toro in 2010. It made recommendations.

68. Australia welcomed recent legal reforms to improve the judiciary, including the move from an inquisitorial to an accusatory system. It remained concerned about the prison conditions, particularly overcrowding, lack of adequate medical services and prolonged pretrial detention. It also remained concerned that indigenous people continue to be disadvantaged in accessing basic services, education and health. Australia made recommendations.

69. Barbados welcomed the establishment of the Ombudsman's Office and believed that it could complement the work of the national human rights commission, which follows up on the human rights obligations of Panama. It added that a coordinated approach to the conceptualization of human rights policies would strengthen the human rights architecture. It noted that the national report recognized the need to enact comprehensive anti-discrimination legislation and called upon Panama to focus on bringing all racial and ethnic groups into the mainstream for a more inclusive society.

70. Belgium acknowledged the progress achieved since the previous review, particularly in the fight against impunity, the fight against all forms of discrimination, freedom of expression, children's rights and women's rights. It expressed concern, however, regarding the situation of women and girls and emphasized that, according to official sources, 200 femicides had been committed between 2009 and 2013. Belgium made recommendations.

71. Brazil acknowledged the progress made on poverty and inequality mitigation, universal education, gender equality and the prevention of violence against women. Discrimination against Afro-descendent and indigenous communities remained a challenge.

and no provision defined acts of racial discrimination. Brazil stressed its previous recommendation that Panama ratify ILO Convention No. 169. It asked about strategies for the birth registration of indigenous, migrant and refuge children. Brazil urged Panama to adopt legislation on children's and adolescent's rights, and to protect lesbian, gay, bisexual, transgender and intersex persons. It made recommendations.

72. Canada applauded the passing of Law 82/2013 defining the murder of women by their spouses as an offence and penalizing violence against women. It also welcomed the implementation of the new adversarial criminal justice system and encouraged Panama to implement it in the whole country. Canada made recommendations.

73. Chile acknowledged the progress made by Panama, particularly towards the eradication of violence against women, such as the criminalization of femicide. It noted the development of a criminal accusatory system and the adoption of legislation on indigenous peoples' rights. The integration of children and juveniles in conflict with the law should be a priority. Chile made recommendations.

74. China commended Panama for strengthening human rights mechanisms, training prison staff on the issue of torture, improving access to justice through the judicial facilitators programme, providing legal support, increasing resources for education, promoting gender equality, increasing women's employment and protecting their right to education and protecting the rights of children and people of disabilities. China made recommendations.

75. Colombia highlighted the commitment of Panama to human rights and its efforts to implement the recommendations arising from the first review, in particular with regard to the protection of vulnerable groups and access to health care. It took note of the action plan on Afro-descendants. Colombia made recommendations.

76. Costa Rica highlighted the progress achieved by Panama and noted the ratification of the Optional Protocol to the Convention against Torture and the International Convention for the Protection of All Persons from Enforced Disappearance. It acknowledged that some measures were being taken to harmonize domestic legislation with international commitments and requested additional information on the commission that would monitor compliance with human rights commitments. It made recommendations.

77. Cuba highlighted the preparation of the national report with the participation of the Government, academia, experts and civil society. It acknowledged progress in implementing the national plan for the prevention of sexual exploitation, gender equality, the reform of the prison system and meeting the target of reducing by half the proportion of the population living on less than $1 a day. Cuba made recommendations.

78. Morocco welcomed the institutional and legislative measures taken by the Government for the implementation of the framework for the promotion and protection of human rights, including the harmonization of the minimum age of marriage, the creation of a national mechanism for the prevention of torture, the adoption of a law establishing a comprehensive system of child protection and the creation of a shelter for victims of trafficking.

79. The delegation of Panama, responding to questions sent in advance, noted that the Government had been implementing a prison reform since 2010 to reduce overcrowding, train personnel and enhance respect for the human rights of detainees. To this end, in 2011 the prison training academy was reopened and the working conditions of the prison staff were being improved. The Government was also committed to adopting a law to professionalize the prison service.

80. Likewise, 45 per cent of convicted persons deprived of their liberty were classified and the separation of pretrial from convicted detainees was ongoing. Although the

Government was aware that constructing prisons did not by itself solve the problems of the system, it considered it necessary to improve the prison infrastructure to ensure respect for the human rights of detainees. In this regard, the "Nueva Joya" penitentiary, with a capacity of more than 5,000 detainees, was about to open.

81. With regard to women deprived of their liberty, the Government had made a diagnosis from a gender and rights perspective and had designed a special programme to assist women in situations of confinement. In the case of juvenile detainees, the Government had given priority to providing them with comprehensive care and improving the infrastructure.

82. With regard to the rights of indigenous peoples, the Government was working on a comprehensive development plan in consultation with indigenous authorities. The plan had three components: political, economic and social. The political one was aimed at strengthening the traditional indigenous structures and authorities. The economic component sought to reduce poverty levels and improve the economic conditions of indigenous peoples by strengthening their production and traditional economic structures. The social axis sought to implement specific programmes to improve the levels of education, culture, health, housing and infrastructure in indigenous territories.

83. With regard to the implementation of the adversarial criminal justice system, its application would be extended to a third judicial district, out of four, in September 2015. By September 2016, the system should be in place throughout the country. According to official statistics, the duration of court proceedings applying the new justice system had decreased by 63 per cent and the use of preventive detention had fallen by 60-70 per cent.

84. Regarding the questions and recommendations on actions taken to reduce violence against women, Panama had developed regulations, plans, policies and programmes to provide assistance to women facing various forms of violence.

85. The comprehensive centres for guidance and care of the Ministry of Social Development provided free, comprehensive and specialized care, psychosocial counselling and legal advice. The National Institute for Women also provided psychosocial and legal support to women victims of domestic and other forms of violence through an interdisciplinary team. Local networks to fight violence against women had also been created, many of them with the support from entities of the United Nations system. Staff working in the judiciary had also been trained, especially officers in contact with women victims and alleged perpetrators.

86. The delegation emphasized that Panama was implementing a public policy on equal opportunities for women. An inter-institutional plan was being elaborated, with wide participation of civil society, to implement the policy.

87. The statistics system had been strengthened and updated with a gender perspective, and projects for rural women were being carried out to provide access to advice, training and credit, with the aim of promoting economic empowerment.

88. Panama thanked the delegations that had intervened during the interactive dialogue in an open and constructive manner on issues that were of interest to the international community and that affected the human rights of the Panamanian people.

89. In closing, the delegation manifested that, since 2010, the Government had worked on the implementation of the recommendations it received during its first review. It recognized that the work was not over. The delegation reiterated the Government's commitment to protecting human rights. The recommendations received during the second universal periodic review would provide guidance and support to improve the culture of coexistence and understanding, the cornerstones of the promotion of human rights, and contribute to strengthening Panamanian democracy.

II. Conclusions and recommendations**

90. **The recommendations formulated during the interactive dialogue listed below have been examined by Panama and enjoy the support of Panama:**

90.1 **Consider ratifying or acceding to ILO Convention No. 169 on indigenous and tribal peoples in independent countries. Peru is ready to share its experience on this issue with Panama (Peru);**

90.2 **Ratify ILO Convention No. 169 (Chile);**

90.3 **Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Portugal);**

90.4 **Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Spain);**

90.5 **Continue its efforts for the full implementation of the Convention against Torture (Indonesia);**

90.6 **Fully align its national legislation with the Rome Statute of the International Criminal Court (Montenegro);**

90.7 **Fully align its national legislation with the Rome Statute of the International Criminal Court (Slovenia);**

90.8 **Implement the Rome Statute of the International Criminal Court into national law (Portugal);**

90.9 **Bring its national legislation in line with the Rome Statute of the International Criminal Court and, in particular, incorporate the necessary provisions to fully cooperate with the Court when it comes to investigating and prosecuting for genocide, crimes against humanity and war crimes in its national courts (Spain);**

90.10 **Take all necessary measures to ensure that its national legislation and policies are brought in line with the obligations as set out in the Convention on the Elimination of All Forms of Discrimination against Women, and to adequately fund the institutions responsible for implementation of this framework (Namibia);**

90.11 **Enhance efforts to ensure the protection of children's rights, as outlined in the Convention on the Rights of the Child and its Optional Protocols (Italy);**

90.12. **Adopt legislation on comprehensive protection of children's and adolescents' rights (Montenegro);**

90.13 **Continue efforts to enact a law on the comprehensive protection of the rights of the child (Peru);**

90.14 **Consider amending its legal provisions to further ensure protection of children's rights, especially by raising the minimum working age in agricultural and domestic service (Thailand);**

90.15 **Repeal the constitutional provision making it possible to refuse naturalization on the grounds of physical and/or mental disability (Mexico);**

** The conclusions and recommendations have not been edited.

90.16 **Step up actions to strengthen the national mechanism for the prevention of torture (Paraguay);**

90.17 **Conclude the drafting and adoption of the national preventive mechanism against torture and other ill-treatment in accordance with the Optional Protocol to the Convention against Torture (United Kingdom of Great Britain and Northern Ireland);**

90.18 **Establish a national mechanism for the prevention of torture, in line with the Optional Protocol to the Convention against Torture (Brazil);**

90.19 **Strengthen the system for monitoring international recommendations, by giving the permanent national commission sufficient resources to carry out its mission (Paraguay);**

90.20 **Establish a mechanism to create an effective system for the protection of children (Angola);**

90.21 **Consider developing human rights indicators as an instrument that allows for a more precise and coherent evaluation of national human rights policies (Portugal);**

90.22 **Continue efforts aimed at promoting the rights of children, in particular children belonging to indigenous groups and children with disabilities and HIV/AIDS (Ukraine);**

90.23 **Submit its overdue reports to the treaty bodies (Ghana);**

90.24 **Submit its overdue reports to the relevant treaty bodies (Sierra Leone);**

90.25 **Strengthen the ongoing efforts in promoting women's rights (Timor-Leste);**

90.26 **Strengthen the institutions in the field of women's rights and organize training, sensitization and awareness-raising activities on the matter (Uruguay);**

90.27 **Continue working on its national policy on equal opportunities for women in order to enhance their participation and empowerment in public processes (Nicaragua);**

90.28 **Consider reviewing its labour laws with a view to addressing the wage gap between women and men and the elusive opportunities for working women to occupy leadership and decision-making positions (Philippines);**

90.29 **Take further steps to achieve gender equality through ensuring equal opportunity in the workplace (Singapore);**

90.30 **Continue efforts to increase women's representation in decision-making positions on an equal footing with men (Rwanda);**

90.31 **Adopt public policies to achieve the full political and economic participation of women in Panamanian society (Chile);**

90.32 **Take steps to increase the participation of women in politics, including through the implementation of measures on affirmative action or quotas (Costa Rica);**

90.33 **Continue initiatives aimed at promoting the participation of women, and continue literacy efforts, particularly for indigenous women (Ecuador);**

90.34 **Ensure the equal treatment and non-discrimination of all children, irrespective of their ethnicity, including equal opportunity to access education at the same level (Namibia);**

90.35 **Continue efforts in the fight against discrimination in all areas, paying special attention to vulnerable groups (Nicaragua);**

90.36 **Adopt a legislative framework to fight racism and discrimination, and implement educational, social and economic public policies to prevent discrimination (France);**

90.37 **Adopt legislation prohibiting discrimination on all grounds including race and ethnicity (Ghana);**

90.38 **Enact comprehensive anti-discrimination legislation prohibiting discrimination on all grounds (Brazil);**

90.39 **Bring its legislation into conformity with its commitment to equality and non-discrimination, including by prohibiting discrimination based on sexual orientation (Canada);**

90.40 **Adopt and implement comprehensive anti-discrimination legislation which prohibits discrimination on all grounds, including on the basis of race, ethnicity, sexual orientation and gender identity (Ireland);**

90.41 **Adopt comprehensive anti-discrimination legislation, including on the basis of sexual orientation and gender identity (Netherlands);**

90.42 **Adopt legislation prohibiting acts of discrimination on the grounds of sexual orientation and gender identity, and adopt measures to promote the rights of lesbian, gay, bisexual, transgender and intersex people and prevent their discrimination (Chile);**

90.43 **Adopt the necessary judicial and administrative measures to ensure effectively the investigation and punishment of cases of discriminatory treatment by law enforcement officers, in particular against lesbian, gay, bisexual, transgender and intersex people (Argentina);**

90.44 **Include sexual orientation and gender identity and expression among the prohibited grounds of discrimination (Uruguay);**

90.45 **Increase efforts to protect the rights of indigenous people and persons of African descent, including by adopting and strengthening tailored programmes to reduce poverty and discrimination among these groups (Germany);**

90.46 **Intensify its efforts to deal with discrimination to ensure that indigenous peoples and people of African descent fully enjoy economic, social and cultural rights, as enshrined in the Universal Declaration on Human Rights (Trinidad and Tobago);**

90.47 **Ensure equal access to the enjoyment of rights such as education, health, political participation, access to justice and integration into the labour market for indigenous and Afro-descendant populations (Uruguay);**

90.48 **Take all necessary measures, including awareness-raising and education, as well as legislative measures, to eliminate discrimination against Afro-Panamanian people (Namibia);**

90.49 **Intensify efforts to ensure the realization of the human rights of Afro-descendant populations (Rwanda);**

90.50 **Enforce laws which further ensure the integration and socioeconomic participation of Afro-Panamanians and other people of African descent (Sierra Leone);**

90.51 **Continue to adopt legislative and policy measures to fight racial discrimination against persons of African descent (Algeria);**

90.52 **Adopt public policies aimed at the full integration of persons of African descent that incorporate measures to prevent stigmatization, racial discrimination and xenophobia (Chile);**

90.53 **Take appropriate legislative and public policy measures with a view of continuing the promotion of the rights of Afro-Panamanians and the fight against racism and xenophobia (Colombia);**

90.54 **Enact anti-discrimination laws which would better protect the rights of indigenous communities (Sierra Leone);**

90.55 **Increase efforts and resources to reduce the gap between indigenous people and other Panamanians in terms of access to health, education and economic development (Timor-Leste);**

90.56 **Adopt measures to curb ill-treatment meted out by police officers to persons deprived of their civil liberties (Ghana);**

90.57 **Take steps to put an end to overcrowding in detention facilities, including by ensuring compliance with the requirements established in article 10 of the International Covenant on Civil and Political Rights and application of the Standard Minimum Rules for the Treatment of Prisoners (Germany);**

90.58 **Step up its efforts to ease overcrowding in the prison system and especially look for alternative non-custodial measures for adolescents (Netherlands);**

90.59 **Continue to take steps to improve overall living conditions for prisoners (Australia);**

90.60 **Continue adopting measures to respect and protect the rights and human dignity of detainees (China);**

90.61 **Continue to implement the process of penitentiary reform based on the three pillars established by the Government (Cuba);**

90.62 **Continue the implementation of laws to combat violence and discrimination against women (France);**

90.63 **Take additional measures to protect victims of domestic violence through effective implementation of its legislation (Georgia);**

90.64 **Increase protection for women victims of domestic violence by implementing the existing legislation, investigating and punishing the perpetrators, creating a sufficient number of shelters and providing police protection (Germany);**

90.65 **Strictly apply without delay Law No. 82/2013, which criminalizes violence against women (Ghana);**

90.66 **Take all necessary measures to ensure that Law No. 82/2013, punishing acts of violence against women, is quickly followed by an implementing regulation, and that protocols are developed to guarantee its proper enforcement (Belgium);**

90.67 **Ensure prompt and effective implementation of the legislation to eliminate violence against women (Slovenia);**

90.68 **Continue with the efforts to combat violence against women through increased institutional coordination permitting the effective punishment of crimes of violence against women and comprehensive assistance to women victims (Spain);**

90.69 **Take measures to ensure the effective implementation of legislation to eliminate violence against women, including by thorough investigation and prosecution (Canada);**

90.70 **Take further measures to prevent the murder of women by their partners, prosecute perpetrators and improve awareness of the issue (Canada);**

90.71 **Effectively implement existing legislation and provide enough resources for the investigation and punishment of crimes of violence against women (Chile);**

90.72 **Take all adequate measures to promptly eliminate all forms of violence against women and children, including abuse and neglect of children (Portugal);**

90.73 **Take further measures to combat gender-based violence, trafficking in women and girls and sexual exploitation (Ukraine);**

90.74 **Eliminate all forms of violence against children by adopting proper legislation and ensure its implementation (Slovenia);**

90.75 **Explicitly prohibit all corporal punishment of children in all settings, including in the home, and repeal the power to "correct" in the Family Code and the Civil Code (Sweden);**

90.76 **Increase the availability of specialized services for the victims of forced labour and trafficking for sex, in partnership with civil society, including by implementing the dedicated victim assistance fund as required by law (United States of America);**

90.77 **Take appropriate measures to end illegal child labour, not least concerning indigenous children (Sweden);**

90.78 **Strengthen the fight against trafficking in human beings, in particular women, by implementing educational and awareness-raising campaigns and enhancing support measures available to victims (Italy);**

90.79 **Continue to provide adequate human and other resources to its anti-human trafficking programmes (Philippines);**

90.80 **Adopt measures to guarantee the independence of the judiciary (Romania);**

90.81 **Continue its efforts to strengthen the independence of the judiciary at both the legal and implementing levels (Belgium);**

90.82 **Continue the reforms aimed at limiting the use of preventive detention and implement a uniform penal system (France);**

90.83 **Take steps to end lengthy pretrial detention and reduce prison overcrowding, such as by increasing the number of court hearings per week and fully implementing pending reforms to the justice system (United States of America);**

90.84 **Implement the adversarial criminal justice system throughout Panama (United Kingdom of Great Britain and Northern Ireland);**

90.85 **Continue to expand the new accusatory system to those provinces and districts where the system is not yet in place (Australia);**

90.86 **Continue implementing throughout the country the criminal accusatory system, ensuring the same criminal procedure for the whole population (Chile);**

90.87 **Continue proceedings to expedite the trials of detainees with all the guarantees and to improve the living conditions of the prison population (Spain);**

90.88 **Bring the juvenile criminal justice in line with international standards (Chile);**

90.89 **Strengthen the necessary measures to fight impunity for the authors of the events occurred in Bocas del Toro in 2010 (Argentina);**

90.90 **Adopt administrative, budgetary, legislative and awareness-raising measures that ensure the right to birth registration of children of indigenous or African origin and from rural areas (Mexico);**

90.91 **Adopt measures to guarantee birth registration of its citizens (Romania);**

90.92 **Intensify its efforts to ensure birth registration for everyone, especially children and adolescents in rural areas (Thailand);**

90.93 **Fully respect its international obligations regarding the freedoms of assembly and association, in particular with regard to the activities of trade unions, and ensure that its national legislation complies with these obligations (Ireland);**

90.94 **Take steps to ensure that Law No. 14/2010 does not affect the rights of assembly and demonstration enshrined in international instruments (Costa Rica);**

90.95 **Take appropriate measures to abolish the illegal practice of making women take pregnancy test to gain employment, as previously recommended (Slovenia);**

90.96 **Strengthen the social policies aimed at integrating minorities into the labour market (Angola);**

90.97 **Continue strengthening its policies and social programmes in order to increase the standard of living of its people, in particular of the most excluded groups (Bolivarian Republic of Venezuela);**

90.98 **Continue to implement sustainable policies to alleviate poverty and increase employment opportunities (Singapore);**

90.99 **Continue the implementation of measures and strategies to directly, temporarily and comprehensively alleviate the immediate needs of households in extreme poverty (Cuba);**

90.100 **Give priority to measures that may guarantee access to safe drinking water for all citizens (Uruguay);**

90.101 **Continue its efforts to increase access to health services and strengthen the delivery of high-quality health care (Singapore);**

90.102 **Continue the efforts to promote the right to health, in particular by giving priority to primary health care and by strengthening the attention paid to mental health problems. Likewise, promote the right to health of persons with disabilities and lesbian, gay, bisexual, transgender and intersex persons (Colombia);**

90.103 **Extend education services to rural zones and guarantee access for all persons to a quality education without distinction, including persons belonging to indigenous and Afro-descendant communities, in order to reduce inequality in the country (Honduras);**

90.104 **Take the necessary measures to ensure access to education for all, in particular for populations in remote zones (Algeria);**

90.105 **Continue increasing inputs in education to effectively protect the right to education for the people of Panama, including indigenous people (China);**

90.106 **Continue promoting the right to education, in particular access to education for boys and girls from Afro-Panamanian, indigenous, rural and migrant communities (Colombia);**

90.107 **Consider incorporating human rights programmes in the Panamanian system of education (Peru);**

90.108 **Continue taking all necessary measures to incorporate the rights of disabled persons in all aspects of public policies, including by strengthening the national secretariat for persons with disabilities to standardize protocols and guidelines for the implementation of rehabilitation services at the national level (Honduras);**

90.109 **Take appropriate measures to meet the needs of indigenous and rural populations that still have clear difficulties to access to safe drinking water and sanitation (Spain);**

90.110 **Continue to work to reduce the levels of poverty in indigenous communities (Australia);**

90.111 **Take all measures to ensure that indigenous children can fully exercise their rights and establish support programmes for migrant children (Honduras).**

91. **The recommendations below did not enjoy the support of country Panama and would thus be noted:**

91.1 **Continue working on the adoption of those international instruments to which it is not State party, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Nicaragua);**

91.2 **Continue its efforts to ensure a comprehensive approach to migrant workers' rights by considering its accession to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Indonesia);**

91.3 **Consider ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Peru);**

91.4 **Consider the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Ecuador);**

91.5 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Ghana);**

91.6 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and ILO Convention No. 169 (Guatemala);**

91.7 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Honduras);**

91.8 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Paraguay);**

91.9 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and ILO Convention No. 189 (Philippines);**

91.10 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and ILO Convention No. 169 (Sierra Leone);**

91.11 **Adopt a legislative framework for the protection of children, in particular by raising the minimum age of marriage and the age of criminal responsibility (France);**

91.12 **Implement a national policy on children's rights including the amendment of legislation on juvenile justice and immediately address the reduction of preventive detention for persons under 18 and the harmonization of the age of criminal liability in accordance with the Convention on the Rights of the Child (Mexico);**

91.13 **Increase the minimum age of marriage and of criminal responsibility in line with international standards (Italy);**

91.14 **Adopt legislation prohibiting all forms of discrimination, including on the grounds of sexual orientation and gender identity, and abolish all provisions of Executive Decree No. 204/1997 determining homosexuality as a serious misconduct for members of the national police (Slovenia).**

92. **All conclusions and recommendations contained in the present report reflect the position of the submitting States and the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

[English only]

Composition of the delegation

The delegation of Panama was headed by Mr. Luis Ernesto Carles, Minister of Labour and Labour Market Development, and composed of the following members:

- Ms. María Luisa Navarro, Vice Minister of Multilateral Affairs and Cooperation, Ministry of Foreign Affairs
- Ms. María Luisa Romero, Vice Minister of Government
- Mr. Giancarlo Soler Torrijos, Ambassador, Permanent Representative
- Mr. Alejandro Mendoza Gantes, Counsellor of the Permanent Mission
- Mr. Jorge Félix Corrales H., Political Counsellor of the Permanent Mission
- Ms. Gisela de León, Advisor to the Vice Minister of Government
- Mr. Alfredo Castillero, Advisor to the Minister of Public Safety
- Ms. Diana de Coronado, Director of Government Affairs, Ministry of the Presidency
- Ms. Carmen Visuetti, Attorney of the General Secretariat, the Attorney General's Office
- Mr. Portugal Falcón Moreno, Chief of the Department of Social Development, General Directorate for International Organizations and Conferences, Ministry of Foreign Affairs
- Mr. Cosme Moreno, Director of Legal Affairs, Ministry of Social Development
- Ms. Cristina Quiel Canto, Attorney of the Supreme Court
- Ms. Linda Díaz, Attorney of the Supreme Court
- Mr. Rorix Núñez Morales, Director of the Office of International Technical Cooperation, Ministry of Labour and Labour Market Development
- Ms. Ana Arosemena Ramos, Attaché of the Permanent Mission